

## **REMARKS**

Claims 1-4, 7, and 9-10 are currently pending. Claim 1 has been amended to incorporate the allowable subject matter of claim 8, and claim 8 consequently being canceled. Claim 7 has been amended to reflect the changes made to claim 1. Applicant respectfully requests reconsideration of the application in response to the non-final Office Action.

### ***Allowable Subject Matter***

Applicant gratefully acknowledges the indication by the Examiner that claim 8 is allowable if rewritten in independent form to include all of the limitations of the base claim and intervening claim. As discussed above, claim 1 has been amended to incorporate the allowable subject matter of claim 8, and claim 8 consequently being canceled. These amendments are made solely to expedite prosecution, and do not represent acquiescence by Applicant to any rejections.

### **Claim Rejections – 35 USC §103(a)**

Claims 1-4 and 9-10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Decision Analyst, Inc. ([www.decisionanalyst.com](http://www.decisionanalyst.com)) in view of Probability Definitions ([stat.evu.edu/SRS/modules/ProbDef/urn.html](http://stat.evu.edu/SRS/modules/ProbDef/urn.html)).

Claim 7 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Decision Analyst, Inc. ([www.decisionanalyst.com](http://www.decisionanalyst.com)) in view of Probability Definitions ([stat.evu.edu/SRS/modules/ProbDef/urn.html](http://stat.evu.edu/SRS/modules/ProbDef/urn.html)) and in further in view of White ([www.cems.uwe.ac.uk/~pwhite/](http://www.cems.uwe.ac.uk/~pwhite/)).

Claim 1 has been amended to incorporate the allowable subject matter of claim 8. As such, Applicant respectfully submits that claim 1 is allowable. Claims 2-4, 7, and 9-10 depend from claim 1, rendering them also patentable for at least the same reasons. Accordingly, withdrawal of these rejections is respectfully requested.

***Conclusion***

Based on the reasons as set forth above, Applicant respectfully requests allowance of all pending claims.

In the event that there are any questions concerning this paper, or the application in general, the Examiner is respectfully urged to telephone Applicant's undersigned representative so that prosecution of the application may be expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY LLP

Date: March 06, 2007

By: \_\_\_\_\_



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**Response to Requirement for Information  
under 35 C.F.R. §1.105**



Sir:

Applicant and the Assignee of the above application are required under 37 C.F.R. §1.105 to provide information that the Examiner has determined is reasonably necessary to the examination of this application.


In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, reasonable inquiry has been made. However, the requested information is either unknown or is not readily available.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY LLP

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